



Department of Justice



ENVIRONMENTAL PROTECTION AGENCY

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BRISTOL-MYERS SQUIBB AGREES TO CLEAN AIR ACT UPGRADES

WASHINGTON— Bristol-Myers Squibb, an international pharmaceutical manufacturer, has agreed to reduce the output of ozone-depleting refrigerants at multiple industrial facilities around the country at a combined cost of \$3.65 million in order to resolve violations of the Clean Air Act, the Justice Department and U.S. Environmental Protection Agency (EPA) announced today.

Under an agreement filed in federal court in Evansville, Ind., New-York based Bristol-Myers Squibb will be required to retire or retrofit seventeen industrial refrigeration units by July 2009 at facilities in Mt. Vernon and Evansville, Ind.; Hopewell, N.J.; and Humacao and Mayaguez, Puerto Rico. The units are used in the facilities' industrial process or as air conditioners and currently use hydrochlorofluorocarbons (HCFCs) as refrigerants. When leaked into the air, HCFCs deplete ozone in the earth's stratosphere, which protects it from dangerous amounts of cancer-causing ultraviolet (UV) rays. Excessive UV exposure is linked to increased incidents of cataracts and poses risks to human immune systems and plant and animal life. The company has agreed to change over the seventeen units to use only non ozone-depleting refrigerants.

In addition, the company has agreed to perform a supplemental environment project that will involve retiring two comfort cooling units at its New Brunswick, N.J. plant and connecting the air conditioners to the company's new centralized refrigeration system. The new system uses water-chilled coolers which act as the refrigerant to minimize the use of chemical agents in the chilling process.

Combined, the measures that the company is performing will remove over 6,350 pounds of harmful HCFCs from their operations. Further, the company will take additional steps to assure compliance with the EPA regulations at thirteen of its facilities and pay \$127,000 in civil penalties.

Following an EPA information request to ensure compliance with ozone-depletion regulations for the Evansville facility, Bristol Myers-Squibb voluntarily conducted an audit of twenty-five of its other facilities and reported all potential violations that were discovered. The audit uncovered potential violations at the thirteen

facilities located in six states—Connecticut, Indiana, Massachusetts, Michigan, New Jersey, New York—and Puerto Rico.

“Bristol-Myers Squibb took action and reported Clean Air Act violations at multiple facilities and is now committed to removing thousands of pounds of harmful ozone-depleting refrigerants from its operations,” said Ronald J. Tenpas, Assistant Attorney General for the Justice Department’s Environment and Natural Resources Division. “We are pleased that after violating our ozone protection requirements, Bristol-Myers Squibb is now committed to a settlement that will be good for the environment and good business practice.”

“Bristol-Myers Squibb has acted responsibly, not only to discover, document, and correct past violations, but to eliminate the use of potentially-damaging refrigerants in its operations,” said Granta Nakayama, Assistant Administrator for EPA’s Office of Enforcement and Compliance Assurance. “These actions will help to protect the ozone layer, ensuring a safer environment for our future generations.”

The proposed consent decree, lodged in the U.S. District Court for the Southern District of Indiana, is subject to a 30-day public comment period and approval by the federal court. Bristol-Myers Squibb is required to pay the penalty within 30 days of the court’s approval of the settlement. A copy of the consent decree lodged today is available on the Department of Justice Web site at <http://www.usdoj.gov/enrd/open.html>.

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